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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,304	08/31/2001	Philip A. Jamieson	GB000123	2154

24737 7590 01/26/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER
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LEE, JOHN J

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/944,304	JAMIESON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	JOHN J LEE	2684	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 September 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 September 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments/Amendment***

1. Applicant's arguments/amendments received on June 30, 2004 have been carefully considered but they are not persuasive because the teaching of all the cited references reads on all the rejected claims as set forth in the pervious rejection. Therefore, the finality of this Office Action is deemed proper.

Contrary to the assertions at pages 8 - 9 of the Arguments, claims 1 - 18 are not patentable.

The claim does not require or limit, as during examination the USPTO must give claims their broadest reasonable interpretation.

Re claim 1: Applicant argues that the Okanou et al. (US Patent number 5,862,345) does not teach the claimed invention "assigning each secondary stations to at least one of a plurality categories, wherein each station in a category has at least one common characteristic". However, The Examiner respectfully disagrees with Applicant's assertion that the Okanou does not teach the claimed invention. Contrary to Applicant's assertion, the Examiner is of the opinion that Okanou teaches each mobile host is assigned logical and geographical identifier from home agent and each of the home and current agents maintains a location management database which maps logical and geographical identifiers and datalink layer addresses of each mobile host in the network, more specifically, the home agent, which is primary station, assigned logical and geographical identifiers (one common operating characteristic) to mobile hosts (secondary stations) and the each mobile host transmits the logical and geographical identifiers to home agent, and the home agent manages and operates

to communicate the data packet with particular or certain location of mobile hosts (secondary stations) in order to maintain the location database by grouping with geographical identifiers as each different geographical location (see Fig. 1, 3 and column 3, lines 21 – column 4, lines 12), regarding the claimed limitation. Also, the claimed limitation does not require or limit as one common operating characteristic is an each geographical identifier.

Applicant's attention is directed to the rejection below for the reasons as to why this limitation is not patentable.

### *Drawings*

2. The drawings are objected to because new proposal drawing received on September 7, 2004 is informal drawing (not accept hand writing). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the

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examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1 – 14 and 16-18** are rejected under 35 U.S.C. 102(b) as being anticipated by Okanous et al. (US Patent number 5,862,345).

Regarding **claims 1, 8, and 16**, Okanous discloses that a method of transferring data between a primary station (home agent (subnetwork) in Fig. 1) and a plurality of secondary stations (mobile hosts (subnetwork) in Fig. 1), each secondary station having a distinguishing identifier (logical identifier) (Fig. 1, abstract, and column 2, lines 5 – 63). Okanous teaches that assigning each secondary stations (different geographical location mobile hosts in Fig. 1) to at least one of a plurality of categories (logical identifiers), wherein each station in a category has at least one common characteristic (geographical location identifiers) (Fig. 1, 3 and column 3, lines 21 – column 4, lines 12, where teaches each mobile host is assigned logical and geographical identifier from home agent and each of the home and current agents maintains a location management database which maps logical and geographical identifiers and datalink layer addresses of each mobile host in the network). Okanous teaches that storing, in the primary station (home agent in

Fig. 1) the identifiers of the secondary stations, which are in each category (column 4, lines 33 – 65 and Fig. 4, where teaches database of home agent stores geographical ID and logical ID of each mobile host). Okanous teaches that transmitting, by the primary station (home agent in Fig. 1) beacon signals containing indications of those categories for which the primary station has data to be transferred (column 3, lines 53 – column 4, lines 59 and Fig. 4, where teaches a beacon multicasting facility operates a periodic intervals to send beacon packers to all mobile hosts in the subnetwork indicating the identification of subnetwork). Okanous teaches that determining, by a secondary station, that there is an indication of the secondary station assigned category in a received beacon signal, transmitting, by the secondary station, a response including the secondary station's identifier (column 3, lines 53 – column 4, lines 59 and Fig. 4, where teaches mobile host sends a control packet indicating its location to the home agent for location registration in the home agent database and every packet from mobile hosts contain the logical identifier of the home agent and then home agent searches and compares the ID). Okanous teaches that determining, whether the primary station (home agent) has data for transfer to the secondary station having the indicated identifier (column 5, lines 1 – 65 and Fig. 4, 5, where teaches home agent compares the control packet including identification from mobile host and determines whether mobile host registered and if registered, establishes datalink with the mobile host).

Regarding **claim 2**, Okanous discloses that the beacon signals are transmitted intermittently (column 3, lines 53 – column 4, lines 59 and Fig. 4).

Regarding **claims 3 and 11**, Okanous discloses that the primary station acknowledges negatively if the primary station does not have a data signal for a secondary station in an indicated category (column 5, lines 1 – 65 and Fig. 4, 5, where teaches home agent compares the control packet including identification from mobile host and determines whether mobile host registered and if not, can't provide datalink with the mobile host).

Regarding **claims 4 and 12**, Okanous discloses that a secondary station intermittently monitoring for the presence of beacon signals (column 3, lines 53 – column 4, lines 59 and Fig. 4).

Regarding **claims 5 and 13**, Okanous discloses that a secondary signalling a request for a change of category to the primary station (column 6, lines 25 – column 7, lines 8 and Fig. 4).

Regarding **claims 6 and 14**, Okanous discloses that a change of category request signal includes an indication of the category to be changed to (column 6, lines 25 – column 7, lines 8 and Fig. 4).

Regarding **claim 7**, Okanous discloses that each of the categories comprise a common operating characteristic (Fig. 1, abstract, and column 2, lines 5 – 63).

Regarding **claim 9**, Okanous discloses all the limitation, as discussed in claims 1 and 2.

Regarding **claim 10**, Okanous discloses that the primary and secondary stations operate on a single frequency channel (column 3, lines 53 – column 4, lines 12 and Fig. 3).

Regarding **claim 17**, Okanous discloses that transferring the data to the secondary station (column 1, lines 48 – column 2, lines 63 and Fig. 1, where teaches transmitting the data packet to mobile hosts).

Regarding **claim 18**, Okanous discloses that the common operating characteristic a secondary station wakeup sequence (Fig. 1, 4, column 2, lines 5 – 63, and column 4, lines 33 – 65).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 15** is rejected under 35 U.S.C. 103(a) as being unpatentable over Okanous in view of Rotzoll (US Patent number 5,790,946).

Regarding **claim 15**, Okanous discloses all the limitation, as discussed in claim 1. Furthermore, Okanous further discloses for storing a wakeup sequence (the assigning identification) for the transceiver, means responsive to receiving a beacon signal for checking if the beacon signal contains an indication of its category (Fig. 1, 4, column 2, lines 5 – 63, and column 4, lines 33 – 65). However, Okanous does not specifically disclose the limitation “responsive to a reply from the primary station for causing the secondary station either to remain energized to receive data or to adopt a sleep mode”. However, Rotzoll discloses the limitation “responsive to a reply from the primary station



for causing the secondary station either to remain energized to receive data or to adopt a sleep mode” (abstract, Fig. 1, and column 1, lines 46 – column 2, lines 10, where teaches the system includes a switch for switching the first communication device to and from sleep mode in response to receiving the wake up signal for reducing battery power consumption). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Okanous system as taught by Rotzoll, provide the motivation to achieve reducing battery power consumption in mobile communication system.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

***Conclusion***

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John J. Lee** whose telephone number is **(703) 306-5936**. He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00 pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, **Nay Aung Maung**, can be reached on **(703) 308-7745**. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

J.L.  
January 21, 2005

John J Lee

  
**NAY MAUNG**  
**SUPERVISORY PATENT EXAMINEE**